

Public Comments Received on New Columbia Draft Constitution as of June 13, 2016
New Columbia Statehood Commission

Number	Constitutional Provision	Comments
General		
1		The State name should be changed.
2		The State name should be kept, because the bill in Congress uses this name.
3		There is not enough time to deliberate this, as the timeline is short.
4		The 1982 or 1987 constitutions already exist.
5		There are too many colonial provisions and too many provisions of the Home Rule Act.
6		What sort of resources are available to make public aware?
7		If we want democracy, we have to give democracy.
8		How will the State take over the National Guard?
9		Thanks for giving us something to work for.
10		Regarding partisan elections throughout, does a candidate need to win a party primary to get on the ballot?
11		US Citizenship should be required for all positions specified in the 1987 constitution, including the House of Delegates, Governor, CFO, Public Service Commissioners, and Zoning Commissioner.
12		Replace gendered pronouns throughout the document.
13		Will the ballot in November be one question or four?
14		This is not a legitimate constitutional convention to design the constitution.
15		Publicize the rules of how the days of the constitutional convention will operate.
16		A second draft of the constitution should be released.
17		This constitution will go down in history.
18		We should work collaboratively on community outreach.
19		We have met the three requirements for statehood by having sufficient land, population, and revenue.
20		Will the power come from the people?
21		We should have a republican form of government.
22		We should establish the borders and have the land from Virginia returned.
23		The Attorney General should have been made the head of the Legal Advisory Committee.
24		The constitution should include a human rights charter.
25		We should call Wards counties.
26		Pay caps should not be in a constitution, as it limits flexibility.
27		We should not let this opportunity pass us by, even if people have problems with the process or individual aspects of the constitution.
28		Elections should be publically financed.
29		There should be provisions for independent agencies.

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30		We could just write a new constitution after the elections.
31		DC is a federal territory and vassal to the US Congress. The DC government is hording federal funds that it is using to fund their fraudulent and seceding acts against the United States and US Congress.
32		How will Kendall School and Model Secondary School for the deaf be funded?
33		It would be helpful to explain the rationale behind the decisions made.
34		A general ethics provision should be added.
35		Planning for statehood should be handled by an elected Commission with 7 Commissioners who serve 4 year terms.
36		The Statehood movement has excluded Republican voices, which should be included.
37		You should contact the drafters of Mexico City's constitution.
38		Rights of the minority should not be able to be overturned by the majority.
39		There should be no private prisons or halfway houses and a prohibition on private profit from prisoners.
40		A state bank should be created to control resources.
41		Establish the voting age.
42		The Constitution is too long.
43		DC residents should have the same constitutional right to representation as other US citizens.
44		The constitution in general is too specific and should leave more details to legislation, regulation, and operational policy.
45		There should be no references to the Home Rule Act in the Constitution.
46		The constitution should affirm the government's authority and obligation to protect the environment and citizen's health and wellbeing.
47		I agree with the approach of a clear and simple constitution that may provide us the rights we need without jeopardizing our approach.
48		"First past the post" voting should be eliminated in favor of alternate vote systems.
49		We should reach out to young people.
50		The Washington Post should take this on to educate people.
51		Comments should be posted online.
52		We should pay the statehood delegation.
53		This is a civil rights issue, and people should know that.
54		We need new people in the statehood fight.
55		We should establish protections from special interests so they do not overwhelm this process as they did with the 1982 Constitution.

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56		As a delegate to the 1982 Constitutional Convention, it was a highly undemocratic process.
57		Even if we do not have a perfect state, we deserve the rights it brings.
58		Lack of statehood is big government interference.
Preamble		
59		The Preamble should refer to a "representative form of government" instead of a "republican form of government."
Bill of Rights		
60	2nd	We shouldn't include the Second Amendment in our constitution.
61	2nd	The phrase "well-regulated militia" should eliminate ambiguities that might threaten reasonable gun laws.
62	3rd	We shouldn't include the Third Amendment in our constitution.
63	6th	This provision should be limited to felonies.
64	7th	The amount for a case in controversy is too low. This provision should set a value in controversy higher than \$20 so that a small claims court could continue to exist.
65	7th	The end of Section VII should refer to "New Columbia law" rather than the rules of the common law.
66	10th	Strike "within its jurisdiction" from the text of the provision.
67	All	We should develop a separate Bill of Rights.
68	All	Include a right to privacy, similar to the California Constitution.
69	All	Include a right to education.
70	All	Include the following rights: freedom of assembly and expression; freedom of religion and separation of church and state; freedom from discrimination; right to privacy.
71	All	Expand equal protection and include that corporations aren't people.
72	All	There should be a prohibition of all forms of torture and inhuman or degrading treatment.
73	All	The right to vote should be enshrined, including provisions to prohibit voter ID laws and to permit formerly incarcerated people to vote and establishing eligibility.
74	All	Should we have longer list of rights, similar to the 1982 constitution?
75	All	By incorporating the federal Bill of Rights, we will be beholden to federal interpretations of those provisions.
76	All	We could have a provision saying our courts can interpret law differently than the federal bill of rights.
77	All	Should we retain a bill of rights? What benefit will result?
78	All	There should be protections against unreasonable searches and wiretapping and for abortion rights.
Article I		
79	All	We should include mandatory staggered terms for members of the House of Delegates.
80	All	The House of Delegates should be able to consent to confirm agency heads.

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81	All	We should not use the phrase "By Act" to clarify that actions by the House of Delegates require the Governor's signature or veto override.
82	All	We should clarify that the reservation of seats for the non-majority party has been removed.
83	All	Incorporate a legislative speech-and-debate clause into the constitution.
84	All	The length of legislative session should be constitutionalized, between 90 and 120 days.
85	Sec. 1	The House of Delegates should be authorized to create local government units.
86	Sec. 1	The phrase "consistent with the Constitution of the United States" should be deleted, as it unnecessary. All laws must be consistent with the US Constitution.
87	Sec. 2	The number of Delegates is too small.
88	Sec. 2	Tie the number of delegates to the number of constituents represented.
89	Sec. 2	Clarify whether Speaker is elected in Presidential election years and if they are staggered with Governor.
90	Sec. 2	Each delegate should represent 20-25,000 people.
91	Sec. 2	There should be a mandate to always have an odd number of delegates
92	Sec. 2	There should be as many At Large members as there are districts.
93	Sec. 2	Delegates should elect the speaker of the House.
94	Sec. 2	The legislature should be bicameral.
95	Sec. 2	More members in the legislature will cost more money.
96	Sec. 2	The Council and the ANCs should become two chambers.
97	Sec. 2	There should be two chambers: an upper house based on proportional representation and a lower house based on geographical representation.
98	Sec. 2	Representation does not have to be limited to geography.
99	Sec. 2	Delegates should be elected by ranked choice/runoff voting in general or in primaries and the top two candidates in the general election.
100	Sec. 2	References to "on a partisan basis" should not refer to the requirement of non-majority legislators.
101	Sec. 2	The minority-party reserved seats should not be eliminated.
102	Sec. 2 & 4	It is not necessary to have various sections regarding the House of Delegate's powers, particularly regarding internal rules.
103	Sec. 2a	Councilmembers should be elected on a nonpartisan basis.
104	Sec. 2a	There should be no at large delegates.
105	Sec. 2a3	This section implies that each district will elect 8 representatives, for a total of 64.
106	Sec. 2b	There is no specification about when elections shall happen, but it does establish when new officials take office.

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107	Sec. 2d	The phrase "action that amounts to a gross failure to meet the highest standards of personal and professional conduct" may be too vague and should be clarified.
108	Sec. 2d	A 5/6 majority for removal is too high, as it is functionally 11 of 12 members (as one will be the accused). The US Constitution only requires 2/3 vote.
109	Sec. 2e	There should be interim appointment or other provisions for vacancies in the House.
110	Sec. 2e	There is too much detail, suitable for legislation, for vacancies in the House.
111	Sec. 2e	Vacancy provisions for the Governor, Attorney General, at-large members, and district members should be the same.
112	Sec. 2e	Vacancies should be fixed with clear lines of succession and alternates rather than special elections and party committees.
113	Sec. 2e	Vacancies should be fixed by a special election within 60 days rather than by the party committees.
114	Sec. 2e1	The word "District" should not be capitalized in the first sentence.
115	Sec. 2e2	References to a party's "central committee" is presumptive, and they should not pick successors.
116	Sec. 3	We should use only domicile, not residence.
117	Sec. 3	Why are there exceptions for political convention delegates?
118	Sec. 3	Is it okay to be in the military reserves but not to be called up for 30 days?
119	Sec. 3	What happens regarding employment for a temporary speaker?
120	Sec. 3	The Delegates should have a term limit, with suggestions ranging from 2 to 5 terms.
121	Sec. 3a3	Delegates should have at least a 4 year residency requirement.
122	Sec. 3a3	The residency requirements may not be fair and may prevent some people from serving. Perhaps they could say "lived in the state for at least a year of accumulated time in the last 10 years or 5 years" to accommodate people whose job takes them out of state frequently.
123	Sec. 3a4	It is not fair to ban outside government jobs but allow other outside work.
124	Sec. 3a4	This should not be a part time job, but only the Speaker has total restrictions on outside income.
125	Sec. 3a4	Delegate salary should be raised and paired with a ban on outside employment.
126	Sec. 3a4	What do the qualifications actually mean?
127	Sec. 3a4	The text should say "holds no other public office" instead of "holds no office."
128	Sec. 3c	Who is the finder of fact on residency questions?
129	Sec. 4a3	When does emergency or permanent legislation becomes effective?
130	Sec. 4a4	Remove paragraph (B) in the resolutions power.
131	Sec. 4b	Having Acts be published upon becoming law means they will take effect before people know what they are. They should become law upon being adopted and published.

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132	Sec. 4e	The Governor should not have a line-item veto on the budget.
133	Sec. 4f	What is the House's authority to create or abolish offices, especially in relation to the Governor's reorganization authority?
134	Sec. 4g	The Auditor position should be established and required, in line with the 1987 Constitution, and impose duties.
135	Sec. 4g	The Auditor should be independent in which programs to audit and apply audit procedures the Auditor deems appropriate.
136	Sec. 4g	The Auditor's access to documents should not be "subject to a privilege."
137	Sec. 4g	The executive should be required to acknowledge and respond to audits in writing.
138	Sec. 4g	The Auditor's compensation should not be able to be reduced during the term.
139	Sec. 4g	Each Auditor should be appointed to a new six-year term, regardless of whether the previous Auditor completed a six-year term.
140	Sec. 4j	This section gives the Governor the power to reorganize offices within the Executive branch, but the Attorney General is within this branch. The Governor should not be able to reorganize the Attorney General's office and staff.
141	Sec. 6	Spell out if the Wards will become Legislative Districts or some other map will be used.
142	Sec. 7	ANCs should be abolished in favor of more Delegates.
143	Sec. 7	ANCs should be created by Act, not constitutionally established.
144	Sec. 7	Clarify that the House may establish whether ANCs can be paid and how many/few there are to be.
145	Sec. 7	There are no basic qualifications, including residency, for ANCs. They should be the same as the House.
146	Sec. 7	The House should provide by Act that ANCs should be given timely notice of Executive Branch actions in the area for input.
147	Sec. 7	ANC written recommendations should be given great weight during deliberations. When rejected, written reasons must be given.
148	Sec. 7	New Columbia should allot funding apportioned by the neighborhood's total population.
149	Sec. 7	Add that the House should provide for ANC funds and accounts by Act.
150	Sec. 7	ANC power should be expanded to accommodate a 13 member legislature.
151	Sec. 7a	ANCs should not have to collect signatures.
152	Sec. 7a	Requirements that candidates get 5% of qualified electors will be administratively cumbersome and creates disparities because of the differences between residents and registered voters.

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153	Sec. 7a	Advisory Neighborhood Commission areas should be drawn based on the decennial census and natural geographic and historic boundaries, not based on the Single Member District concept of equal population, to avoid gerrymandering.
154	Sec. 7b	The powers of the ANCs are poorly defined because they have no power to legislate and "advising the House" is vague.
155	Sec. 7b	Advisory Neighborhood Commissions should be able to expend donated funds in addition to public funds.
Article II		
156	Sec. 1	Vest the Governor with the "Chief Executive" power rather than the "executive" power.
157	Sec. 2	The Governor should be elected on a nonpartisan basis.
158	Sec. 2	Clarify whether Governor is elected in Presidential election years and if they are staggered with Speaker.
159	Sec. 2	The Governor should have a 2-term limit.
160	Sec. 2	The Governor should be elected by ranked choice voting in primaries and the top two candidates in the general election.
161	Sec. 3a	Clarify who determines, and by what process, whether the Governor has forfeited his or her office.
162	Sec. 3a	The Governor should be replaced by an elected Lieutenant Governor rather than by the Speaker of the House.
163	Sec. 3a1B	The Governor should have at least a 4 year residency requirement.
164	Sec. 3a1C	The text should say "holds no other public office" instead of "holds no office."
165	Sec. 3c	The sentence that disallows the House from reducing a future Governor's salary should be removed.
166	Sec. 3c	The newly elected House of Delegates should set the salary structure for all elected officials.
167	Sec. 3d	The Governor does not forfeit office if she does not maintain residency. This should be changed.
168	Sec. 4	There is too much detail for a Constitution about the duties of the Governor.
169	Sec. 4	The Governor's appointment power for Agency Heads should be included.
170	Sec. 4	Strike redundant language concerning the Governor's powers and duties.
171	Sec. 4	The Governor should be given explicit commander in chief authority over the National Guard.
172	Sec. 4d	The Governor's power to appoint an Administrator and COO does not require confirmation and should.
173	Sec. 4g	The COO's salary should be approved by the House of Delegates
174	Sec. 4i	The sentence on compacts should recognize federal limits of Art. I, Sec. 10 by including "subject to federal law."
175	Sec. 4j	Why not retain the Home Rule Act and 1982 Constitution provisions giving the Council (House) passive review authority for reorganizations?
176	Sec. 4j	Should the Governor have the power to reorganize executive agencies and offices?

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177	Sec. 4k	Does the Governor's pardon power extend to crimes committed before Statehood?
178	Sec. 4l	This section contradicts Article I Sec. 10 of the US Constitution.
179	Sec. 4m	"Planning authority" should be defined.
180	Sec. 4m	There should be an independent planning authority.
181	Sec. 4m	This may discourage cooperation, as some planning will come under the purview of other branches.
182	Sec. 5	The Attorney General will still be elected under law, and the position should not be constitutionalized.
183	Sec. 5	The constitution should include substantive duties of the Attorney General, including the authority to prosecute civil and criminal cases.
184	Sec. 5	The Attorney General should be elected by ranked choice voting in primaries and the top two candidates in the general election.
185	Sec. 5	The Attorney General should be elected on a nonpartisan basis.
186	Sec. 5	Consolidate 5(a) and (c) for the Attorney General.
187	Sec. 5	There are no provisions on domiciliary requirements, DC bar membership, forfeiture of office, and vacancies for the Attorney General.
188	Sec. 5	The Attorney General should have personnel power.
189	Sec. 5b	In case there is a vacancy in the Attorney General, should the House consent to appoint the Chief Deputy?
190	Sec. 6	Removal of the CFO is too onerous. The House should not have to give assent to removal for cause.
191	Sec. 6e	Many of the CFO's duties should be left to statute.
192	Sec. 6e	Tax duties of CFO belong with Governor, regardless of who handles them now.
193	Sec. 7	The State Board of Education should be handled by statute.
194	Sec. 7	Clarify whether the State Board of Education's authority extends to universities, public and private.
195	Sec. 7	Clarify that Governor has ultimate control over public schools, subject to the role of the House.
196	Sec. 7a	There should not be a reference to the 8 districts in case of a change.
197	Sec. 7b2	The last sentence should be deleted to maintain flexibility.
198	Sec. 7b2	The words "if any" should be struck so that the State Board can adjust statutes based on federal education law.
199	Sec. 7b2	If the State Board of Education is not abolished, the Board should not be able to reject policies of the House.
200	Sec. 7b2	Should not enshrine Mayoral control of State Board of Education in the constitution.
201	All	The Elections agency should be created in the constitution.
Article III		
202	All	The authority to create an intermediate court of appeals or other specialized courts is missing.
203	All	How much will it cost to bring back courts and prisoners?
204	Sec. 1	Rename the D.C. Court of Appeals the Supreme Court.

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205	Sec. 2	Judges should be appointed for a set period of time and then have a retention vote by the people.
206	Sec. 2a	Should there be a reference to an Act or Resolution in the section giving the House the power to confirm judicial nominations?
207	Sec. 2a	The method of appointment and specified duties of the Judicial Nominations Commission should be included.
208	Sec. 2a	The Judicial Nomination Commission should be abolished.
209	Sec. 3	The domicile requirement should be for the term of office.
210	Sec. 3	Judges cannot be active members of the DC bar, so there should be no requirement for reappointments.
211	Sec. 3a2	Allow membership in the D.C. Bar to count towards a prospective judge's eligibility.
212	Sec. 3b	Clarify the removal process for judges by, for example, assigning removal to something akin to a Judicial Disabilities Commission
213	Sec. 3b5	The phrase "habitual intemperance" should be changed to something contemporaneous.
214	Sec. 3b5	Strike unnecessary language concerning "mental or physical disability"; should refer to any condition that interferes with the judge's performance of duty.
215	Sec. 4	The powers of courts are too detailed. We should delete all after the first sentence.
216	Sec. 5	Rewrite the Chief Judges section to allow for possibility of intermediate courts.
217	Sec. 5	It should include what the Chief Judge's role is.
Article IV		
218	All	There is too much detail for a Constitution about the budget.
219	All	Should we say whether anyone has standing to sue over an un-balanced budget?
220	All	Can the state declare bankruptcy? If so, should it be in the constitution?
221	Sec. 2	The budget should have to be made public before a vote by the House of Delegates.
222	Sec. 2b	The word "for" should be changed to "proposed by" so that independent agencies may propose budgets that meet their needs.
223	Sec. 2b	The Attorney General, State Board of Education, and Chief Financial Officer should submit their own budgets.
224	Sec. 2c	Budgetary reprogrammings should not be allowed.
225	Sec. 3	It says the House shall adopt the budget but does not give it the power to amend the Governor's submission.
226	Sec. 3	ANCs should be able to review and vote on the budget.
227	Sec. 3 and 4	Could Adoption of Budget and Financial Statements be left to legislation?
228	Sec. 5	The balanced budget requirement is too vague in how it is determined.
229	Sec. 6	The House of Delegates should not have the power to approve contracts. This could be phased out.
230	Sec. 6	The House of Delegates should not have their power to approve contracts limited.

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231	Sec. 6	Strike the phrase "review prior to the contract going into effect" and insert "review and approval" in its place.
232	Sec. 7	Do various payments to emergency and contingency fund count against the balanced budget?
233	Sec. 7	Why have emergency and contingency funds?
234	Sec. 7	There should not be restraints on the replenishment of emergency and reserve funds.
235	Sec. 7	The House should be able to change the percentages in this section by Act.
236	Sec. 7	Do we need to include emergency and contingency reserve funds in the Constitution?
Article V		
237	All	There is too much detail for a Constitution about the required conditions for borrowing.
238	All	The Office of the Chief Financial Officer (OCFO) recommends that there should be a section that exempts bonds from most taxes.
239	All	The OCFO recommends that there should be a section on Legal Investment that allows New Columbia fiduciaries to invest in bonds issued under this Article.
240	Sec. 1	The Office of the Chief Financial Officer (OCFO) recommends that there should be a definition of "capital projects."
241	Sec. 2	The OCFO recommends that there should be more detail in what provisions the Act shall include, including language authorizing the sale of bonds and the creation of security interests.
242	Sec. 2	The OCFO recommends that there should be a requirement to print the Act in a newspaper.
243	Sec. 3c	The OCFO recommends that this section should be deleted.
244	Sec. 4c	The OCFO recommends that this section should specify how anticipated revenue is calculated.
245	Sec. 5	Special taxes should have an end date as a requirement for adoption.
246	Sec. 7	The OCFO recommends that payment of principal, interest, and redemption premiums on general obligation bonds should not be subject to appropriations.
247	Sec. 8a1	The OCFO recommends that "for a public purpose" be defined.
248	Sec. 8e1	The OCFO recommends that "department of the executive branch" should be changed to "independent instrumentality of New Columbia."
249	Sec. 9	The debt cap should not be set at 17%
250	Sec. 9	The OCFO recommends that the 17% limitation should be set in accordance with Section 603(b)(3) of the Home Rule Act.
Article VI		
251	All	Election and recall process needs to be strong to hold elected officials accountable.
252	Sec. 1	Citizen initiatives should not be able to amend Constitution.

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253	Sec. 1	Initiatives should be allowed to cancel appropriated funds.
254	Sec. 1	Initiatives should be able to raise and appropriate funds.
255	Sec. 1	Language should be taken from current DC law to prohibit initiatives and referenda that violate the Human Rights Act.
256	Sec. 1d	Why must the registered voter count be taken at least 30 days before?
257	Sec. 2	Percentages should apply to total population rather than total registered voters, though only registered voters could sign.
258	Sec. 2	The signature requirements should be lower.
259	Sec. 2	ANCs should be able to vote to start an initiative that would then be authorized to go on the ballot.
260	Sec. 3	Should initiatives and referenda be on special election or primary ballots?
261	Sec. 7	The recall provision should prevent a recalled official from running for the same job again.
262	Sec. 7	Recalls should not be used for the State Board of Education and ANCs.
263	Sec. 8	Recalls should be permitted only once per term.
Article VII		
264	All	There should be another constitutional convention before the end of the year.
265	All	The constitution should call for a constitutional convention with delegates within 5 years.
266	All	The constitution should include what qualifies as a constitutional convention.
267	All	Voters should be able to call for a constitutional convention by referendum that the legislature must then provide for within 6 months.
268	Sec. 1	There should be a required quarterly publication of the use of public dollars and expenditures.
269	Sec. 1	It is not clear what effect the "openness and transparency" language is meant to have; it should be clarified or struck.
270	Sec. 3	It is too easy to amend the constitution. It should be 2/3 of the House of Delegates and 2 votes by the Council. Others suggest 60% or 3/4 requirement for passage.
271	Sec. 3	The citizens should be able to initiate a constitutional amendment. It should include an option to amend by citizen's initiative or a constitutional convention.
272	Sec. 4	Is the effective date realistic? What should be separate from constitution?
Article VIII		
273	All	The transition provisions should call for immediate elections.
274	All	Should there be a time frame for new elections post-statehood?
275	All	All offices should be voted on within one year after admission.

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276	Sec. 1	A new State of New Columbia wouldn't have the authority to abolish the District government or declare itself the heir to District government institutions and proceedings; only Congress could do that.
277	Sec. 1b	The phrase "same schedule" is vague and should be rewritten to clarify that House members will retain staggered terms.
278	Sec. 1e	Federal members of boards and commissions should be dealt with individually through legislation, not through a broad constitutional provision.
279	Sec. 3	Court orders under which DC is working need to be carried over.
280	Sec. 4b	The transition provision for District laws should say that New Columbia is adopting the District's laws, not that the laws will "continue in force and effect."
281	Sec. 9	It is uncertain whether a State of New Columbia could lawfully empower non-residents to vote in its elections.